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*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff,

Plaintiff,

v.

STANDARD CHARTERED FINANCIAL
SERVICES (LUXEMBOURG) S.A. (f/k/a
AMERICAN EXPRESS FINANCIAL
SERVICES (LUXEMBOURG) S.A. and f/k/a
AMERICAN EXPRESS BANK
(LUXEMBOURG) S.A.), as represented by its
Liquidator HANSPETER KRÄMER,

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 12-01565 (SMB)

HANSPETER KRÄMER, in his capacities as liquidator and representative of STANDARD CHARTERED FINANCIAL SERVICES (LUXEMBOURG) S.A., STANDARD CHARTERED BANK INTERNATIONAL (AMERICAS) LTD., f/k/a AMERICAN EXPRESS BANK INTERNATIONAL, and STANDARD CHARTERED INTERNATIONAL (USA) LTD., f/k/a AMERICAN EXPRESS BANK LTD.,

Defendants.

**DECLARATION OF JONATHAN A. FORMAN IN SUPPORT OF THE TRUSTEE'S
OPPOSITION TO DEFENDANTS' MOTION TO STAY**

I, Jonathan A. Forman, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a member of the New York Bar and a partner at Baker & Hostetler LLP, counsel for plaintiff Irving H. Picard, as trustee (the "Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff.
2. As an attorney of record in these proceedings, I am fully familiar with the facts set forth herein based either upon my own personal knowledge or upon information conveyed to me.
3. I make this declaration to provide relevant information in connection with the Trustee's Opposition to Defendants' Motion to Stay.
4. Attached hereto as **Exhibit A** is a copy of the Trustee's November 6, 2020 letter to counsel for the Defendants.
5. Attached hereto as **Exhibit B** is a copy of a November 20, 2020 email from counsel for the Defendants.

6. Attached hereto as **Exhibit C** is a copy of the relevant portion of the February 14, 2014 transcript of the status conference held before Judge Bernstein in the *SIPC v. BLMIS (In re Madoff)*, Adv. Pro. No. 08-01789 proceedings.

7. Attached hereto as **Exhibit D** is a copy of an October 7, 2016 letter from counsel for Standard Chartered International (USA) Ltd.

8. Attached hereto as **Exhibit E** is a copy of the relevant portion of the May 19, 2011 transcript of the hearing held before Magistrate Judge Katz in the *Anwar v. Fairfield Greenwich Limited*, 09 CV 118 proceedings.

I hereby declare under penalty of perjury that the foregoing statements made by me are true and correct.

Executed on the 3rd day of December, 2020, at New York, New York.

/s/ Jonathan A. Forman
Jonathan A. Forman